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Held at Headquarters, New York,
on Tuesday, 23 June 1998 at 10.30 a.m.

Chairperson: Ms. KHAN

CONTENTS

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 18 OF THE CONVENTION

Initial report of the Slovak Republic

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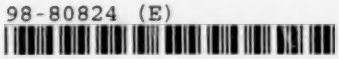

The meeting was called to order at 10.30 a.m.

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 18 OF THE CONVENTION

Initial report of the Slovak Republic (CEDAW/C/SVK/1 and Add.1)

1. At the invitation of the Chairperson, Ms. Suchánková (Slovak Republic) took a place at the Committee table.

2. Ms. SUCHÁNKOVÁ (Slovak Republic) said that the Slovak Republic recognized the paramount importance of human rights issues to all members of society. It was incumbent on States to ensure the enjoyment of its citizens' fundamental rights and freedoms, and to fulfil international obligations through domestic legislation. At the time of its establishment on 1 January 1993, Slovakia had become a successor to the United Nations human rights conventions, including the Convention on the Elimination of All Forms of Discrimination against Women.

3. Slovakia had been actively engaged in activities relating to women's rights and equality. It had set up a Coordination Committee for the Problems of Women, which had prepared a ten-year National Action Plan for Women in Slovakia outlining strategic objectives and steps to be taken over the next 10 years.

4. Slovakia regarded its membership in the United Nations Commission on the Status of Women as an affirmation of its resolve to further the implementation of the conclusions of the Fourth World Conference on Women. It was particularly heartening that at its fifty-fourth session the Commission on Human Rights had, for the first time, entered into a dialogue with the Commission on the Status of Women, devoting a special meeting to a discussion of women's issues. Such discussions would strengthen the links between the two bodies and help integrate women's rights into the United Nations human rights system. Slovakia was prepared to assist in that process and in efforts to bring various forms of violence against women within the competence of an international criminal tribunal. It supported the efforts of the international community to secure the universal ratification of international human rights instruments.

5. In the hierarchy of values held by the people of Slovakia, matrimony and parenthood had a high status, although there was a growing trend towards common-law cohabitation and increasing numbers of births out of wedlock. Demographic statistics were not homogenous throughout the territory of the Slovak Republic. Population structure in terms of nationality and profession, and the size of settlements influenced birth, marriage and death rates. However, it had been shown that, in general, families were strongly influenced by traditional values.

6. Research had shown that women perceived that they were disadvantaged compared to men in terms of earning capacity but they did not consider themselves as the "weaker sex". They did, however, feel that they did not enjoy equal rights when it came to employment. The motive for women to seek employment was primarily economic, but the function of employment as a vehicle for social communication and for the cultivation of social relationships was also acknowledged.

7. Changes in the political and socio-economic system in the latter part of the 1990s had led to a re-evaluation of the Government's objectives and principles in the area of family policy. Recent strategy featured a systemic approach to the family as a social unit, based on equality between the sexes, in both the marital relationship and parental functions.

8. The ability of women to exercise their right to put their education to professional use depended on specific family circumstances and the availability of facilities such as pre-school and similar services, and maternity and retirement benefits. In reality, the limitations on that entitlement reflected a weakness in the implementation of family policy measures rather than the existence of discriminatory practices. In general, the principles of state family policy guaranteeing equality of rights had pervaded all relevant areas, including legal and health protection of the family, social and economic security, the upbringing of children and treatment of juveniles, and preparation for marriage and parenthood.

9. The social security system in the Slovak Republic provided for pension benefits, sickness insurance, state social benefits and social care. In certain instances, women enjoyed more favourable terms than men.

10. A high proportion of women in the Slovak Republic were employed and legislative protection of women in the workplace was above average compared to other countries. Employers frequently permitted women to work part time or modified their work schedules to accommodate the needs of pregnant women and those caring for children under the age of 15, and they were obliged to extend a mother's maternity leave, at her request, until her child reached the age of 3. The new draft labour code, if adopted, would extend parental leave until the child reached the age of 5 and provide social benefits in the form of parental contributions. It would also repeal the prohibition of night work for women and require employers to provide appropriate services and safe conditions for such work. Pregnant women or those caring for a child under the age of 3 could not be dismissed from their employment; the draft legislation would extend that prohibition until the child reached the age of 5.

11. Wages were established through collective agreements on the basis of job activities, performance and quality of work, although they might vary between companies in the private sector. According to statistics provided by the Ministry of Labour, Social Affairs and Family, women's wages had amounted to approximately 79 per cent of men's wages in 1996, which was comparable with the situation in members of the European Union. The amended Labour Code and other relevant legislation also emphasized the importance of non-discrimination in wages.

12. Employers were responsible for ensuring the safety and health of their employees and eliminating conditions which might cause injury or disease. The Labour Code stipulated various types of work considered not physically suitable for or harmful to women. Special conditions also applied to women in the armed forces and the police. Labour legislation and safety and health regulations were enforced by state and public authorities.

13. Article 40 of the Constitution granted all citizens the right to health care. Health insurance was mandatory, and the insurance premiums of the unemployed were paid by the State. There was no distinction between the health care available in urban and in rural areas. The primary health-care system included reproductive health services, family planning and ante and post-natal care. Health care was offered by both State and private establishments, although out-patient facilities, pharmacies and hospitals were primarily State-owned.

14. The great majority of children were delivered in hospitals, where babies were permitted to remain in their mothers' rooms and fathers were allowed to be present at delivery. The United Nations Children's Fund (UNICEF) Baby-Friendly Hospital Initiative had been implemented in seven hospitals; 99 per cent of newborns were fully breastfed on leaving the hospital, and one third of them were still breastfed at 6 months of age. The prenatal, infant and maternal mortality rates were decreasing and were currently 7.8, 10.2 and 0.05 per 1,000, respectively. The overall birth rate was declining. There were prenatal screening programmes to identify congenital disorders and neonatal metabolic dysfunction, and 97 per cent of children were immunized against contagious diseases.

15. By law, women had access to contraceptives, abortion and artificial insemination services. The abortion rate was declining as a result of advanced methods of family planning and education, and family planning education was included in the curriculum of all primary schools. The rate of sexually transmitted diseases had risen in proportion to increased frequency of travel and a higher rate of drug addiction. Thanks to preventive campaigns and early diagnosis, the spread of human immunodeficiency virus (HIV) was minimal.

16. Cardiovascular disease and cancer, in that order, were the leading causes of death. The need for improved health education and care was demonstrated by the low percentage of cancers detected at an early stage. Life expectancy was 68.8 years for men and 76.6 for women. Although citizens were entitled to biannual health examinations, few exercised that right.

17. Health-care workers carried out preventive evaluations to identify work unsuitable or dangerous for women. Health checks were performed before any change of employment and at regular intervals in high-risk workplaces.

18. Most nurses and paramedics, and 55 per cent of all physicians, were women, and education of health-care professionals was comparable to that of members of the European Union.

19. Decree No. 216 of 25 March 1997 had approved new measures to combat child pornography and sexual abuse of women and children. In order to prevent the exploitation of children for commercial purposes, steps had been taken to monitor the activities of agencies which organized courses for children and juveniles, particularly those associated with the production of video recordings purportedly aimed at preparing children for future modelling activities. In recognition of the fact that effective legal prohibition of prostitution was impracticable, draft legislation aimed at regulating that activity, preventing the spread of sexually transmitted diseases and protecting the general public

from phenomena accompanying prostitution was being prepared, bearing in mind the international agreements which regulated prostitution and the exploitation of women. Other proposed measures targeted mentally disturbed individuals such as paedophiles and those inclined to initiate socially undesirable acts subject to prosecution.

20. Although domestic violence against women was attracting increased attention, police action was of little effect since such abuse was usually concealed. Legislation on the prevention of criminal acts and other anti-social behaviour was being prepared, and a government advisory council had been established. In 1997, the number of police specializing in juvenile crime had been increased.

21. In 1994, women had comprised some 14 per cent of members of the National Council and some 20 per cent of local council representatives. Those percentages were higher in elections which were open to independent candidates. Civic associations focusing on the protection of women's rights, the family, employment, professional interests, charities, culture and education played an important role in political parties and movements.

22. With regard to article 9 of the Convention, she explained that the provisions of the Nationality Act relating to refugees and homeless persons permanently residing in Slovakia had been amended in order to make them fully compatible with the Convention. Nationals of the former Czech and Slovak Federative Republic as at 31 December 1992 had been granted nationality in the Slovak Republic, provided that they requested such nationality by 31 December 1993; other applicants for Slovak nationality were required to have resided in the country for a continuous period of five years. No distinction was made between nationals, regardless of whether nationality had been acquired by choice, determination, birth, adoption or award. Individuals of either sex who failed to meet the conditions established in the Act could acquire Slovak nationality through marriage to a national of the Slovak Republic. Slovak nationality was unaffected by marriage to a foreigner. All standards and principles contained in the European Convention on Nationality had been incorporated into domestic law, which fully established the equality of men and women in that regard.

23. With regard to article 16 of the Convention, men and women had the same rights and obligations with respect to marriage and family responsibilities. Women could retain their family name or take that of their husbands, and parents had equal obligations towards their children, whether born in marriage or out of wedlock. Although mothers were usually more involved in childcare than fathers, the latter were obligated to contribute to their children's support and to participate in their upbringing.

24. Ms. ABAKA welcomed the fact that Slovakia had ratified the Convention so soon after becoming independent. It was also commendable that literacy levels were so high among both men and women. The rate of growth of the economy, at over 6 per cent a year, was excellent; it seemed, however, that the quality of life for ordinary citizens was not improving at anything like the same rate. Moreover, vocational choices seemed still to be marked by sex stereotyping, girls opting for the humanities and boys for the technical subjects. There was

no mention in the report of specific Government programmes for implementing the various articles of the Convention, and that made it difficult to assess what progress was being made. Likewise, because of the absence of comparative statistics for the situation in Slovakia before and after adoption of the Convention, there was no way of judging the impact of its adoption on the lives of individuals.

25. Referring to article 4 of the Convention, she pointed out that in some cases temporary special measures were necessary to protect vulnerable groups, such as women, children and the disabled. Such measures would be appropriate during the economic and political transition in Slovakia, but the report did not mention any. She also wondered whether the presence of different ethnic groups in Slovakia was being used as a unifying force during the present transitional period.

26. She had the impression, from the report, that women's role as mothers was overemphasized in Slovakia. What was being done to change stereotyped perceptions of their role? It was regrettable that the report made no reference to any of the General Recommendations adopted by the Committee.

27. Lastly, she wondered what action was being taken in Slovakia to implement the Beijing Platform for Action.

28. Ms. JAVATE DE DIOS congratulated the representative of Slovakia on her country's speedy adherence to the Convention, and on withdrawing, as early as April 1991, its reservation to article 29. Slovakia had made significant progress in many aspects of the Convention since 1993, as evidenced by the many legislative and judicial initiatives described in the written and the oral reports. It was always important to have national machinery for women, and especially during periods of structural adjustment or economic transition such as Slovakia was currently undergoing. Such machinery could help bring about measures to promote the advancement of women in general. There were some gaps in the report, as Ms. Abaka had pointed out, and she hoped they would be filled in during the discussion.

29. Ms. GONZALEZ welcomed the involvement of a number of different Government ministries and non-governmental organizations in the preparation of the report. Slovakia, a country in transition, was nevertheless making considerable progress in implementing the Convention. She noted that the guidelines issued by the Committee for the preparation of reports had not been adhered to, and that made it difficult for the Committee to form a true appreciation of the wealth of information contained in the report. She welcomed the emphasis placed on the family as the nucleus of society.

30. Ms. ACAR said that the Committee's experience had shown that in order to achieve full and effective implementation of the Convention, the text of the Convention must be disseminated to civil society, especially to women's non-governmental organizations. That called for the existence of a democratic political order and of robust associations and organizations for the protection and promotion of human rights, and for the involvement of women from various occupational sectors and different ethnic and cultural groups. She asked to what extent there were independent women's organizations in Slovakia, and how

far they participated in the Government's efforts to implement the Convention. Had any such organizations contributed to the preparation of the report, and had it been made available to them for comment? Women in Slovakia evidently attained high levels of education, and that should be taken advantage of in achieving fuller implementation of the Convention.

31. Ms. Yung-Chung KIM welcomed the fact that in Slovakia international instruments on human rights were given priority over national law. That provision would surely bring about de facto equality for women. According to paragraph 40 of the report (CEDAW/C/SVK/1), family law was to be amended. She asked what provisions were thought to require amendment, how far non-governmental organizations were participating in the amendment process and what progress had been made. Concerning the Coordination Committee for the Problems of Women, she asked how many women served on the Committee and which sectors of society were represented on it. Noting that one of the Committee's goals was "to propose specific measures and conclusions concerning the problems of women" (CEDAW/C/SVK/1/Add.1, p. 12), she said that she would welcome some clarification.

Article 2

32. Ms. CARTWRIGHT, noting that in Slovakia international treaties on human rights which were ratified by the Slovak Republic and were promulgated in a manner provided by the law were superior to its own laws (CEDAW/C/SVR/Add.1, p. 5), asked whether the Convention had been duly promulgated and would therefore enjoy such precedence. Was it clearly understood in Slovakia that article 2 of the Convention prohibited both direct and indirect discrimination, and that legislation could often have an unequal effect as between men and women, and therefore indirectly bring about discrimination against women? She wondered whether women in Slovakia enjoyed direct access to the courts in bringing complaints of discrimination and would like to hear of any recent cases. She also wondered whether there were any other bodies competent to award compensation if a case of discrimination was proved, whether legal aid was available for such cases, and how the decisions of courts and tribunals were implemented. She was concerned about reports in some quarters that the judiciary in Slovakia was not wholly independent, and that human rights violations were taking place, including acts of intimidation of judges and journalists.

33. Ms. GUYAYA asked whether the anti-discrimination legislation in Slovakia was effective, in the sense that women were aware of its existence and were able to bring complaints if it was violated. She wanted to know what recent cases there were, and if legal aid was available to bring complaints.

34. Ms. CORTI was glad to note that immediately after ratifying the Convention, Slovakia had withdrawn its reservation to article 29. She would welcome more information about the criminal code in Slovakia: how it dealt with the offences of rape, statutory rape, trafficking in women, pimping and criminal abortion, and how the latter offence was defined. Without the texts of the relevant legal provisions, it was difficult to obtain a clear picture of the attempts made under Slovak law to protect the rights of women.

35. Ms. TAYA noted that according to the report, women in Slovakia were treated differently from men in several areas, including employment, maternity provision, enhanced social benefits and early retirement. She wondered whether those differences reflected an attitude, on the part of the Government, that women's primary function was to care for their children and households. Such extra protection could all too easily lead to discrimination against women in other areas. The numbers of women in senior management positions in Slovakia seemed to be unduly low. She asked how the Government interpreted the non-discrimination provisions in the Convention.

Article 3

36. Ms. RYEL said that the addendum to the report did not indicate whether the Coordination Committee for the Problems of Women (CCPW) dealt only with issues affecting women or with equality of opportunity in general. She was pleased that the members of CCPW were drawn from different sectors of society, but wondered whether the members were all women. Men should be involved in the work of that body, since they tended to be in positions of power and were therefore in a position to expedite social change. With respect to the indication that the terms of the Chairwoman and Deputy Chairwoman of CCPW had ended on 1 April 1998, she asked who currently occupied those positions and why the change had taken place.

37. She wondered whether any steps had been taken towards the establishment of an office of Ombudsman and, if so, what resources had been allocated for its work. Since the Ombudsman would deal with a broad range of human rights issues, it was important to ensure that the gender perspective was taken into account. If women were not filing complaints of discrimination with the courts, the Ombudsman might play an important role in receiving such complaints, in addition to playing an advisory role.

38. Ms. OUEDRAOGO said that neither the report nor its addendum indicated whether funds had been mobilized for the implementation of the National Action Plan for Women in Slovakia. The Government clearly had good intentions in that regard, but she wondered whether it had allocated enough human, material and financial resources to meet the goals of the Action Plan. She also asked whether women themselves, from a wide variety of social and professional categories, including socially marginalized and unemployed women, had been represented at all stages of the design of the Action Plan and whether their specific needs had been taken into account.

39. Ms. LIN Shangzhen asked what kinds of new problems were being encountered by women as a result of the Slovak Republic's reform process. She understood from the report that CCPW was not a standing body involved in day-to-day work on women's issues, but rather a forum in which representatives of different organizations could meet periodically to discuss their work, and asked whether that interpretation was accurate. It would be interesting to hear more about what the Slovak Government planned to do in the future with respect to women's status and about what conditions had been like prior to the submission of its initial report to the Committee. She, too, wished to know who was currently in charge of CCPW, since only a properly qualified person who was really concerned with women's issues would enable that Committee to do useful work. Lastly, she

asked whether the machinery for women's issues was loosely organized, whether the entities involved had adequate budgets and human resources and whether their work was well coordinated.

40. Ms. GUVAVA asked when the office of Ombudsman would be established and what its composition and powers would be.

Article 4

41. Ms. RYEL said that the report indicated that the Slovak Government saw no need for temporary special measures to accelerate de facto equality because its legislation was gender neutral. However, since men and women were not on an equal footing, gender-neutral legislation would not give them equal rights in practice, as shown by the report's description of Slovakia's segregated labour market, the traditional educational choices of girls, the society's strong focus on motherhood and the scarcity of women in decision-making positions. Did the adoption of the National Action Plan for Women mean that the Government had changed its attitude and had decided to begin implementing temporary special measures and affirmative action?

42. Ms. LIN Shanqzhen said she agreed that the Slovak Government appeared to have misunderstood article 4 of the Convention. The achievement of de facto equality required that legislation should be supplemented by temporary special measures, which should not be construed as discrimination against men. She hoped that the Slovak Government would reconsider its position.

Article 5

43. Ms. ACAR noted that the addendum to the report indicated that Slovak women did not consider that they were discriminated against and that Slovakia's culture gave priority to women's role as mothers. However, under article 5 of the Convention, States parties were required to take measures to modify social and cultural patterns that were based on stereotyped roles for men and women. She asked how the Slovak Government understood that article and what it was doing to implement its provisions. Specifically, she asked whether any efforts had been made to sensitize the public to the need for equality in the economic and political spheres, and whether any educational or training programmes had been implemented to change stereotyped images of women. Was gender-sensitivity training being provided, especially to workers in critical sectors, such as teachers and judges, to enhance society's understanding of the nature and implications of the stereotypes that prevented women from achieving de facto equality? Lastly, were any steps being taken to ensure that school textbooks and the media did not promote stereotyped images of women?

44. Ms. RYEL asked whether the Government was reviewing the possibility of enacting legislation on domestic violence. The magnitude of that problem in the Slovak Republic was illustrated by the statistics on related offences, which appeared in the addendum to the report. She wondered whether additional measures - such as the establishment of shelters and telephone help lines for battered women or programmes to determine why men resorted to violence against women and how that behaviour could be changed - were being considered. She wondered whether the fact that most Slovak women gave birth to their first child

less than nine months after marriage meant that Slovak society took a liberal view of young people's sexuality or that social stereotypes made young women feel forced to marry when they became pregnant.

45. Ms. OUEDRAOGO said that the indication that Slovak women did not consider that they were discriminated against seemed to conflict with the statistics showing an increase in violence against women, which clearly reflected discriminatory attitudes. It appeared that women in Slovakia had not been sensitized to the manifestations of discrimination in their society. In that context, the emphasis on women's traditional role as mothers was not very positive; instead, efforts should focus on helping women to achieve a balance among their different roles in the economic, political, social and cultural spheres.

46. Ms. GONZALEZ said she agreed that, despite the indication that Slovak women did not complain of discrimination, the report did not contain enough information on whether women played an equal role in society. Although the role of housewife and mother was a valid option, she wondered whether Slovak women were aware that multiple options for their personal development were available to them.

Article 6

47. Ms. GUVAVA said that, in view of the statistics showing an increase in violence against women, the Slovak Government should consider adopting legislation relating specifically to domestic violence. Professionals who dealt with women victims of violence, such as police officers, magistrates and prosecutors, should be given special training in that area.

48. Ms. BERNARD noted that, although the report indicated that trafficking in women and children was an offence punishable by imprisonment, only 3 people had been convicted of that offence in 1992 and 1993, while 4 had been convicted in 1994 and 10, in 1997. Those figures were puzzling, considering that trafficking in women had become a serious problem in a number of formerly Communist countries whose borders had recently become easier to cross. How did the Slovak Government plan to deal with that problem? What obstacles had it encountered in attempting to bring the persons involved to justice?

The meeting rose at 1 p.m.